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7 **UNITED STATES DISTRICT COURT**
 8 **DISTRICT OF NEVADA**

9 POLARIS PROCESSING, LLC,
 10 Plaintiff,
 11 v.
 12 NEW RISE RENEWABLES RENO, LLC,
 13 Defendant.

13 NEW RISE RENEWABLES RENO, LLC,
 14 Counter-Complainant,
 15 v.
 16 POLARIS PROCESSING, LLC, Individual
 DOES 1-10; ROES 1-10, inclusive,
 17 Counter-Defendants

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 20 NEW RISE RENEWABLES RENO, LLC,
 21 Third-Party Plaintiff,
 22 v.

22 TERRY FRIEDMAN & JULIE THROOP,
 23 PLLC; JOHN C. BOYDEN, ESQ., an
 individual; GREATER NEVADA CREDIT
 24 UNION, a domestic non-profit cooperative
 corporation; TRUIST BANK, NORTH
 25 CAROLINA, a Tennessee Corporation; KING
 FIRM LLC, a fictitious corporation; DOES 1-
 26 10; ROE BUSINESS and ROE
 27 CORPORATIONS 1-10, inclusive,
 28 Third-Party Defendants.

Case No.: 2:24-cv-01907-JAD-MDC

**STIPULATION FOR VOLUNTARY
 DISMISSAL OF THIRD-PARTY
 CLAIMS WITHOUT PREJUDICE**

AND

**ORDER DISMISSING THIRD-PARTY
 CLAIMS WITHOUT PREJUDICE**

ECF No. 61

1 Third-Party Plaintiff New Rise Renewables Reno, LLC (“New Rise”) by and through its
 2 attorney David M. Zaniel of Ranalli, Zaniel, Fowler & Moran, LLC, Third-Party Defendants Terry
 3 Friedman and Julie Throop, PLLC (identified in the Third-Party Complaint as “Terry Friedman &
 4 Julie Throop, PLLC”) and John C. Boyden, Esq. (collectively, “Boyden/F&T”), by and through their
 5 attorney, Daniel T. Hayward of Dotson, Hayward & Vance, PC, and Plaintiff Polaris Processing, LLC,
 6 by and through its attorney, Charles E. Gianelloni of Snell & Wilmer L.L.P., stipulate pursuant to Fed.
 7 R. Civ. P. 42(a)(1)(A)(ii) that the Court may dismiss New Rise’s third-party claims against Terry
 8 Friedman and Julie Throop, PLLC and John C. Boyden without prejudice, with each dismissed party
 9 to bear their own costs and attorney fees.

10 The above-named parties further stipulate that the Court may dismiss New Rise’s third-party
 11 claims against third-party defendant Truist Bank, North Carolina, without prejudice, with each
 12 dismissed party to bear their own costs and attorney fees. Truist Bank, North Carolina has not appeared
 13 in this action.

14 The above-named third-parties further stipulate that at some point in the near future, diversity
 15 jurisdiction is likely to be lost between New Rise and Boyden / F&T as the remaining parties to this
 16 action, and that New Rise and Boyden / F&T have made the preemptive decision to litigate New Rise’s
 17 claims against Boyden / F&T in Nevada state court. When New Rise refiles its claims against Boyden
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1 / F&T in Nevada state court, Boyden / F&T agree that they shall not raise any defense based on the
2 voluntary dismissal, without prejudice, of the third-party claims in this action.

3 DATED this 16th day of July, 2025.
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5 */s/ Daniel T. Hayward*
6

7 Daniel T. Hayward
8 Nevada State Bar No. 5986
9 Dotson, Hayward & Vance, PC
10 5355 Reno Corporate Drive, Ste 100
11 Reno, Nevada 89511
12 *Attorney for Third-Party Defendants*
13 *Terry Friedman and Julie Throop, PLLC*
14 *and John C. Boyden*

15 DATED this 16th day of July, 2025.
16

17 */s/ David M. Zaniel*
18

19 David M. Zaniel
20 Nevada State Bar No. 7962
21 Ranalli, Zaniel, Fowler & Moran, LLC
22 50 West Liberty St Ste 1050
23 Reno, Nevada 89501
24 *Attorney for New Rise Renewables Reno, LLC*

25 DATED this 16th day of July, 2025.
26

27 */s/ Markie L. Betor*
28

Charles E. Gianelloni
Nevada State Bar No. 12747
Markie L. Betor
Nevada State Bar No. 15505
Snell & Wilmer L.L.P.
1700 South Pavilion Center Dr Ste 700
Las Vegas, NV 89135
Attorneys for Polaris Processing, LLC

ORDER

Pursuant to the stipulation [ECF No. 61] between Third-Party Plaintiff New Rise
Renewables Reno, LLC (“New Rise”), Third-Party Defendants Terry Friedman and Julie Throop,
PLLC (identified in the Third-Party Complaint as “Terry Friedman & Julie Throop, PLLC”) and
John C. Boyden, Esq., and Plaintiff Polaris Processing, LLC, and pursuant to Fed. R. Civ. P. 42(a)
(1)(A)(ii), and with good cause appearing, **IT IS ORDERED THAT** New Rise’s third-party
claims against Terry Friedman and Julie Throop, PLLC and John C. Boyden, Esq., and
New Rise’s third-party claims against non-appearing party **Truist Bank, North Carolina,**
are DISMISSED without prejudice, with each dismissed party to bear their own costs and attorney
fees. The Clerk of Court is directed to TERMINATE these third-pary defendants from this case.

UNITED STATES DISTRICT COURT JUDGE
DATED this 16th day of July, 2025.